

## REMARKS

The Applicants do not believe that examination of the response contained herein will result in the introduction of new matter into the present application for invention. Therefore, the Applicants, respectfully, request that this response be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated May 12, 2005 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the May 12, 2005 Final Office Action.

The Examiner objects to Claims 16-18 and 20 for various informalities. The objections related to: Claim 16; Claim 17 the “pairs of portions” and “contain”; Claim 18 the “pairs of portions” and “contain” have been corrected by the foregoing amendment to the claims. The verbiage in Claims 17 and 18 for “as in” have not been corrected because these terms are not incorrect. Also Claim 20 requires no correction because the correct status identifier for Claim 20 is now previously presented. The Applicants respectfully point out the foregoing changes are not narrowing and, therefore should have no effect on the interpretation of equivalents for those elements. Furthermore, these changes do not require no further search or analysis on the part of the Examiner and therefore, the forgoing amendment should be entered.

The Office Action rejects Claims 1-25 under the provisions of 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,058,081 issued to Schell et al. (hereinafter referred to as Schell et al.). The Examiner states that Schell et al. disclose the recited elements.

In the section labeled **Response to Arguments**, the Examiner contends that the term within Claim 1 and 9 “the first and the second part of the magnetic system extend entirely across the pair of portions of the coil system” is being interpreted broadly and is therefore anticipated by Figure 26 of Schell et al. The Applicants assert that no reasonably interpretation of the terminology “the first and the second part of the magnetic system extend entirely across the pair of portions of the coil system” can be read so broadly such that the term is anticipated by the extension of elements 2-22 and 2-24 as disclosed by Figure 26 of Schell et al. The Examiner’ position is that elements 2-22 and 2-24 extend entirely across elements 2-20 in the “Y” direction. The Applicants, respectfully, point out that it appears that the Examiner is referring to the “Z” direction

because the “Y” direction is perpendicular to the plane extending across elements 2-20.

The term “the first and the second part of the magnetic system extend entirely across the pair of portions of the coil system” does not state that the first and second part of the magnetic system extends across the pair of portions of the coil system in a single direction. There is no reasonable reading of the term extend entirely across the pair of portions that can be interpreted as not extending across entirely across the pair of portions of the coil system as the Examiner is attempting to do. The Examiner is attempting to apply the clear and definite term that unequivocally states that “the first and the second part of the magnetic system extend entirely across the pair of portions of the coil system” in a manner such that the resulting interpretation of the first and the second part of the magnetic system do not extend entirely across the pair of portions of the coil system. This is clearly not a reasonable interpretation

Regarding Claim 1, the Applicants would like to, respectfully, point out that rejected Claims 1 defines subject matter wherein “the coil system further comprises a portion of the coil system situated symmetrically with respect to a junction of the first and the second magnet for both the first and second part of the magnetic system, said portion being situated between a pair of portions of the coil system arranged directly opposite, respectively, the first and second parts of the magnetic system such that the first and second part of the magnetic system extend entirely across the pair of portions of the coil system.” The Examiner’s position is that the subject matter defined by Claim 1 is found within Schell et al., specifically, the Examiner reads the elements indicated by reference numerals 2-18 and 2-20 on the “pair of portions of the coil system” defined by rejected Claim 1. The Applicants respectfully point out that the magnetic system of Schell et al. does not extend entirely across the pair of portions of the coil system the elements indicated by reference numerals 2-18 and 2-20. The magnetic system of Schell et al. only extends partially across the pair of portions of the coil system the elements indicated by reference numerals 2-18 and 2-20 as shown in Fig. 26. The Applicants draw the Examiner’s attention to Figures 3, 4 and 5 of the present application for invention wherein the magnetic system clearly extends entirely across the pair of portions of the coil system. Thus, there remain features within Claims 1 that are not disclosed, or suggested, by Schell et al. Accordingly, Claim 1 is not anticipated by Schell et al.

Claims 2-8 depend from and further narrow and define Claim 1, therefore since

Claim 1 is believed to be allowable, Claims 2-8 are also believed to be allowable.

Regarding Claim 9, the Applicants would like to, respectfully, point out that rejected Claim 9, defines subject matter for “a pair of portions of the coil system arranged directly opposite, respectively, the first and second part of the magnetic system such that the first and second part of the magnetic system extend entirely across the pair of portions having wires extending perpendicular to the optical path”. The Applicants respectfully point out that the magnetic system of Schell et al., does not extend entirely across the pair of portions of the coil system the elements as indicated by reference numerals 2-18 and 2-20. The magnetic system of Schell et al. only extends partially across the pair of portions of the coil system the elements indicated by reference numerals 2-18 and 2-20 as shown in Fig. 26. The Applicants draw the Examiner’s attention to Figures 3, 4 and 5 of the present application for invention wherein the magnetic system clearly extends entirely across the pair of portions of the coil system. Thus, there remain features within Claim 9 that are not disclosed, or suggested, by Schell et al. Therefore, Claim 9 is not anticipated by Schell et al.

Claims 10-15 depend from and further narrow and define Claim 9, therefore, since Claim 9 is believed to be allowable, Claims 10-15 are also believed to be allowable.

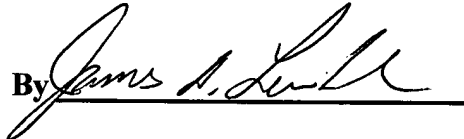
Regarding Claim 16, the Applicants would like to, respectfully, point out that rejected Claim 16, defines subject matter for “the first and second part of the magnetic system extend entirely across the pair of portions in a plane parallel the optical axis”. The Applicants respectfully point out that the magnetic system of Schell et al., does not extend entirely across the pair of portions of the coil system the elements as indicated by reference numerals 2-18 and 2-20. The magnetic system of Schell et al. only extends partially across the pair of portions of the coil system the elements indicated by reference numerals 2-18 and 2-20 as shown in Fig. 26. Thus, there remain features within Claim 16 that are not disclosed, or suggested, by Schell et al. Therefore, this rejection is, respectfully, traversed.

Claims 17-20 depend from and further narrow and define Claim 16, therefore, since Claim 16 is believed to be allowable, Claims 17-20 are also believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: July 16, 2005

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Signature:

  
Person Signing: James D. Leimbach